



April15, 2003

Mayor Wesely and City Council City of Lincoln City County Building Lincoln, NE

Mayor Wesely and Members of the City Council:

An investigation has been made regarding the application of JJ Kat Inc., d.b.a. Brewsky's Food & Spirits, 201 North 8th Street requesting a class I liquor license.

This location was previously known as Fox & Hound which held a class I liquor license.

Brewsky's has requested that Brian Kitten be approved as the manager of this liquor license. Background information on Mr. Kitten will be omitted as he has been approved by the Council on three current Lincoln Brewsky's location.

Information on the structure of JJ Kat Inc. has been included for your review.

If this application is approved, it should be with the understanding that it conforms to all the rules and regulations of Lincoln, Lancaster County and the State of Nebraska.

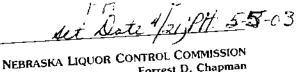
THOMAS K. CASADY, Chief of Police

Thank Com





TATE OF NEBRASKA Auss





April 11, 2003

A3-038968 21A

Forrest D. Chapman Executive Director 301 Centennial Mall South, 5th Floor P.O. Box 95046 Lincoln, Nebraska 68509-5046 Phone (402) 471-2571 Fax (402) 471-2814 TRS USER 800 833-7352 (TTY) web address: http://www.nol.org/home/NLCC/

JJKAT IN dba Breusky's Food Spirits 201 No. 8th St. Class I

City Clerk County/City Bldg 555 South 10th Street Lincoln NE 68508

Dear Local Governing Body:

Attached is the form to be used on all retail liquor license applications. Local clerks must collect proper license fees and occupation tax per ordinance, if any, before delivering the license at time of issuance.

TWO KEY TIME FRAMES TO KEEP IN MIND ARE:

You have 45 days to conduct a hearing after the date of receipt of the notice from this Commission (§53-134). You may choose NOT to make a recommendation of approval or denial to our Commission. 1)

PER §53-133, THE LIQUOR CONTROL COMMISSION SHALL SET FOR HEARING ANY APPLICATION WHEREIN:

- There is a recommendation of denial from the local governing body. 1)
- A citizens protest; or 2)
- Statutory problems that the Commission discovers.

PLEASE NOTE...A LICENSEE MUST BE "PROPERLY" LICENSED IN ORDER TO PURCHASE FROM 3) WHOLESALERS; AND, A LICENSE IS EFFECTIVE:

- Upon payment of the license fees; 1)
- Physical possession of the license; 2)
- Effective date on the license. 3)

Sincerely,

NEBRASKA LIQUOR CONTROL COMMISSION

Michaele Porte Michelle Porter Licensing Division

Enclosures

Rhonda R. Flower Commissioner

Bob Logsdon Chairman

R.L. (Dick) Coyne Commissioner

An Equal Opportunity Afformative Action Employer

Printed with soy ink on recycled paper

FORM 35-4001 REV. 12.99

NAME OF PERSON ASSISTING WITH APPLICATION TYPE OF APPLICATION * Type of application being applied for 458 10 MB (check appropriate box) Name 1. C Individual License requires Form Randy R. Ewing CONTROL I to be attached. 2. C Partnership License requires Form Firm Name Address 2 to be attached. Pierson Fitchett Law Firm 1045 Lincoln Mall, #200, Lincoln, 3. Corporate License requires Forms 3 and Manager Application to be attached

SECTION	ON A – LOCATION INFORMA	ATION - Mus	t be completed by all	applicants
Trade Name (name of business)		Telephone Number at premise to be licensed 402-328-2739		
Street Address of Proposed licensed premise Co		Mailing Address for receipt of Liquor Control Commission mailings 201 N. 8th Street		
City County Lincoln Lancaster		City Lincoln	County Lancaster	
Zip Code Is this located inside the city limits? 68508 • Yes C No		Zip Code 68508		

DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED

In the space provided draw the area to be licensed. This should include storage areas, basement, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building in situations where only a portion of the entire bldg. is to be covered by the license. No blue prints will be accepted. Be sure to indicate the direction North and number of floors of the building.



Example: East portion approximately 50' x 100' of main floor of 3 story building plus basement. Approximately 30' x 50' at the East

Hamfloor approx 1001 x 80' i basement approx 41'x67'
of four - story bidg, plus suitdoor area approx
7:51 x 20' for 400 cost

OTHER INFOR		ION	
	Yes	No	Explanation/Comments Note: Only what is visible on screen will be printed
* 1. READ CAREFULLY. Answer completely and accurately. Has anyone who is a party to this application, or their spouse, ever been convicted of or plead guilty to any criminal charge. Criminal charge means any charge alleging a felony or misdemeanor violation of a federal or state law; or a violation of a local law, ordinance or resolution. Include any DWIs or DUIs. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.	Yes ©	ž C	Brian D. Kitten, MIP, Grand Island, NE - 1980
* 2. Are you buying the business and/or assets of a licensee? If yes, submit a copy of the sales agreement with a listing of assets being acquired including liquor inventory (name brand and container size required).	Yes •	No C	see attached Exhibit "B" (Bill of Sale)
* 3. Are you filing a temporary agency agreement, Commission form 4231, whereby current licensee allows you to operate on their license? If yes, attach copy.	Yes C	No ©	
* 4. Are you borrowing any money from any source to establish and/or operate the business? If yes, list the lender.	Ye.	No C	Pinnacle Bank, Lincoln, NE
* 5. Will any person or entity other than licensee be entitled to a share of the profits of the establishment? If yes, explain.	Ye C	ı	The second secon

				1
* 6. Will any of the furniture, fixtures and equipment to be used in this business be owned by others? If yes, list such items and the owner.	Yes C	No ©		
* 7. Will any person(s) other than named in this application have any direct or indirect ownership or control of the business? If yes, explain?		Х° €		
* 8. Are the premises to be licensed within 150 ft. of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, children, or within 300 ft. of a college or university campus? If yes, list the name of such institution and where it is located in relation to the premises. Per Sec. §53-177.	Yes C	No		
* 9. Is anyone listed on this application a law enforcement officer? If yes, list the person, the law enforcement agency involved and the persons exact duties.	Yes C	No ©		
10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business and the person(s) who will be authorized to write checks and/or make withdrawals on accounts at such institutions.	Ja Jo	mes n C	cle Bank, Lincoln, Nebraska E. Mumgaard . Mumgaard D. Kitten	
11. List all past and present liquor licenses held by any person named in this application. Include license holder name, location of license and license number. Also list reasons for termination of any licenses previously held.	se	e a	ttached Exhibit "C"	
12. List the person who will be the on site supervisor of the business and the estimated number of hours per week such person or manager will be on the premises supervising operations.	Bı	ian	D. Kitten, 40+ hours	

13. List the training and experience of the person labove in connection with selling and/or serving alo	Employed serving a	with selling and/or loohol products since	
14. If the property for which this license is sought submit a copy of the deed, or proof of ownership, a copy of the lease covering the entire license year must show title or lease held interest in name of a owner or lessee in the individual(s) or corporate not the application is being filed)		hed Exhibit "D" (Lease)	
15. When do you intend to open for business?	May of 20		
16. List the principal residence for the past 10 yes	ars for all persor	is required to sig	
NAME	FROM (YEAR)	TO (YEAR)	RESIDENCE (CITY, STATE)
James E. Mumgaard	2001	present	Omaha, NE
James E. Mumgaard	1973	2001	Lincoln, NE
Jon C. Mumgaard	1973	present	Lincoln, NE
Brian D. Kitten	1984	present	Lincoln, NE
Kathleen Mumgaard	2001	present	Omaha, NE
Kathleen Mumgaard	1993	2001	Lincoln, NE
Sharon Mumgaard Anne M. Kitten	1993 1993	present present	

THE PENTEND AND THE SECTION AND SECTION AN

The undersigned applicant(s) hereby consent(s) to a background investigation and release of present & future records of every kind and description including police records, tax records (State and Federal), bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation or any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and/or inaccurate.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Must be signed in the presence of a notary public. Must be signed by applicant and spouse; if a partnership, all partners and spouses must sign and corporation, all stockholders (holding more than 25% of the stock), officers, directors and spouses must sign. Full names only, initials not acceptable.

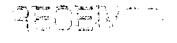
Sign Here Jon C. Mumgaard, Nice President Sign Here Jon C. Mumgaard, Nice President Sign Here Brian D. Kitten, Sec/Treasurer Sign Here	Sign Here Kathleen Mumgaard, spouse Sign Here Sharon Mumgaard, spouse Sign Here Anne Kitten, spouse Sign Here		
Subscribed in my presence and swom to before me this 3/by Brian D. Kitten and Anne Kitten.	day of March , 2003		
CENTET	(SEAL) GENERAL NOTARY-State of Nebraska JENNIFER L. SOMMARS My Comm. Exp. June 14, 2003		
In compliance with ADA, this application for license form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternative format.	Sign here Alhufu & Sommars ANotary Public Signature		
Verify & Print form			

FORM 35-4010 1 REV 1/01

,	Subscribed and sworn to before me by	Lines Gon Karhler Plugged this	<u></u> day
of _		Notary Public Programme And Pu	
of _	Subscribed and sworn to before me by APRIL , 2003.	SNC & SHARWS MUNGAARS this_	<i>8</i> л+ day
	My Comm. Exp. Jan. 28, 2004	Notary Public	
of _	Subscribed and sworn to before me by 2003.	,this_	day
		Notary Public	<u> </u>
of _	Subscribed and sworn to before me by 2003.	ythis_	day
		Notary Public	

NEBRASKA LIQUOR CONTROL COMMISSION







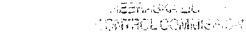


Exhibit "C"

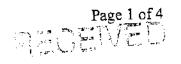
#11 - All Past and Present Liquor Licenses

LICENSE HOLDER	LICENSE NO.	<u>DATE</u> <u>ACQUIRED</u>	LOCATION OF PREMISES	REASON FOR TERMINATION
J J Kat, Inc.	18865	1990	1602 South St. Lincoln, NE	active
J J Kat, Inc.	42993	1999	2840 S. 70 th , #1 Lincoln, NE	active
JJ Kat, Inc.	28995	1994	2662 Cornhusker Lincoln, NE	active
J J Kat, Inc.	51295	6/12/2001	15350 Weir St. Omaha, NE	active
Mum, Inc.				business sold
J. J. Tesh, Inc.				business sold

(G:\WPData\RE\JJ Kat\Fox & Hound Liquor Lic,wpd)

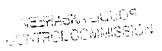






Application for Corporate Manager
Must Be A Nebraska Resident

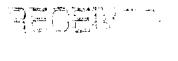
Please submit in Triplicate



Return to: N	Vebraska Liqu 01 Centennia	oor Control Commission, l l Mall So., Lincoln NE 685	PO Box 95046 509				And of the Arthurs
Phone: (402) 4		Fax: (402) 471-2814		ss: http://www.r	iol.org/home/		en land
Required areas	marked by a	red asterisk (*)	_				: 8:04
		LIQUOR LICE	ENSE INFO	RMATION			· 200.
Name of Lice	nsed Corporat	1011 **********************************		Class & Licer Class I - (ne		PER LO	GALLUUH GWWISSIC
	of Licensed Prood & Spirits						
Street Addres 201 N. 8th	ss of Licensed Street	Premise *	City Lincoln	*	County Lancas	ter	*
On behalf of	the corporatio	n, I designate this individua	l as co rp orate m	anager.			
Signature		te President/CEO:	James E. A. ATION (MI	Amgaard ST BE 21 OI	R OVER)		
Full Name (I Kitten, Bria		ddle, Maiden)		Sex * F M C 6	Social Secu	rity Number	
Date of Birt	<u>h</u> *	Place of Birth Superior, Nebra	ska	*			
Home Street 1955 E. Po	t Address ershing Ro	*	City Lincoln	*	County Lanca	ster	*
State NE *		Zip Code 68502 *		Telephone Num 123-7407 *	ber		
Business To	elephone Num 3800 *	ber	Drivers License	Number *		Stat NE	: *

NEBRASKA LIQUOR CONTROL COMMISSION

Application for License - J J Kat, Inc./Fox and Hound English Pub & Grille





WEEK WAR LINE

CONTROLCOMMISSION

Exhibit "C"

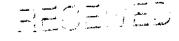
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J J Kat, Inc.	42993	1999	2840 S. 70 th , #1 Lincoln, NE	active
J J Kat, Inc.	28995	1994	2662 Cornhusker Lincoln, NE	active
J J Kat, Inc.	51295	6/12/2001	15350 Weir St. Omaha, NE	active
Mum, Inc.				business sold
J. J. Tesh, Inc.				business sold

(G:\WPData\RE\JJ Kat\Fox & Hound Liquor Lic.wpd)







MAR 2 8 2003

Are You Married? * Yes 6 No C If Yes, You must complete the following CEERASKA GOUGE

SPOUSE'S INFORMATION (IF NOT MARRIED INDICATE)				
Full Name (Last, First, Middle, Maiden) Kitten, Anne M. (Nelson)	Social Security Number			
Drivers License Number	State Date of Birth			
Place of Birth Lincoln, Nebraska				
* 1. READ CAREFULLY. Answer completely and accurately. Has anyone who is a party to this application, or their spouse, ever been convicted of or plead guilty to any criminal charge. Criminal charge means any charge alleging a felony or misdemeanor violation of a federal or state law; or a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.				
Yes No Brian D. Kitten, MIP, 19	980, Grand Island, NE			
* 2. Have you or your spouse ever made application for any for what premise give license number and date.	liquor license or manager for any liquor license? IF YES,			
Yes No Brewsky's, 18865, 1990 (Brewsky's, 42993, 1999 (Brewsky's, 28995, 1994 (1602 South St., Lincoln) 2840 S. 70th #1, Lincoln) 2662 Cornhusker Hwy., Lincoln)			
* 3. Have you or your spouse ever made a compromise settle	ment for violation of such laws?			
Yes No				
* 4. Do you, as a manager, have all the qualifications require License? Nebraska Liquor Control Act (§53-131.01) Yes No • C	ed by any person entitled to hold a Nebraska Liquor			
* 5. Have you filed fingerprint cards and PROPER FEES (i application?	f check, make out to the NE State Patrol), with this			
Yes No				

Page 3 of 4

*42 38 2003

	Ecolomy and a second
RESIDENCES SINCE AGE 18, APPL	ICANT AND SPOUSE MUST COMPLETE
Yea	
From	То
Applicant; City & State	1984
The state of the s	1904)
Spouse: City & State Lincoln, NE 1988	1989
Ye	
From	То
Applicant: City & State Lincoln, NE 1984	prese
Spouse: City & State	
Manhattan, KS 1989	1990
Ye	1
From	То
Applicant: City & State	
Spouse: City & State	Far more
	prese
Ye	ear
From	То
Applicant: City & State	<u> </u>
Spouse: City & State	
	T LAST TWO EMPLOYERS
	Year _
Name of Employer	From To 1990 present
J J Kat, Inc.	
Name of Supervisor James E. Mumgaard	Telephone Number 402-616-9011
Access to the second se	Year
Name of Employer	From To
Mum, Inc.	1988 1990
Name of Supervisor	Telephone Number
Tame or Supervisor	•

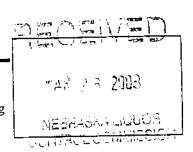
Corporation/LLC Application for License - Form 3

Nebraska Liquor Control Commission

INSTRUCTIONS:

- 1) Application and application for manager must be typewritten and submitted in triplicate
 2) Fingerprint cards (2 cards per person) must be submitted for: a) each stockholder owning over 25% of the stock, b) chief executive officer, c) proposed manager and d) all spouses
- 3) Information regarding spouses must be completed

Required areas marked by a red asterisk (*)



Name of Corporation That Will Hold License. Attach co	py of Articles of Total Number of Shares (if corporation)
Incorporation J J Kat, Inc.	600
Corporate Street Address Mailin	ng address for receipt of Liquor Control Commission Mailings N. 8th St., Lincoln, NE 68508 * 2003
City Corporate Telephone Number Lincoln 402-323-8800 * *	County State Lancaster NE Zip Code * - 68504 * -
Name of Registered Agent Brian D. Kitten *	Name of Proposed Manager Brian D. Kitten *
IN THIS SECTION LIST THE NAM	ME OF THE CHIEF EXECUTIVE OFFICER
Name James E. Mumgaard *	Title Date of Birth President * 10/06/1954 *
Social Security Number Home Address (1) 6526 S. 170th Ave.	City* Omaha *
State Zip Code NE * 68135 * -	Home Telephone Number 402-334-3222 *
PRINCIPLE OFFICERS, DIRECTORS	, STOCKHOLDERS, MEMBERS AND SPOUSES
Name of Officers, Directors, Members and Spouses. Give Last Name, First Name, Middle, Maiden, and any aliases	Social Security Date of Birth Title Number
Name Mumgaard, James E.	505-78-5101 10/06/1954 President
Spouse Name Mumgaard, Kathleen (Davis)	505-96-2020 01/26/1968 N/A
Partner Number of Shares / % 33.333	Spouse Number of Shares / % 0
Name of Officers, Directors, Members and Spouses.	

Give Last Name, First Name, Middle, Maiden, and any aliases	Social Security Number	Date of Birth	7148 2003 Title
Name Mumgaard, Jon C.			Vice President
Spouse Name Mumgaard, Sharon S. (Nichols)	d an agrammatika et al Pel gamanagas, pelak (en sinauer wante de labora i internita en lef	Ñ/A
Partner Number of Shares / % 33.333	Spouse Number of Shares / % 0		
Name of Officers, Directors, Members and Spouses. Give Last Name, First Name, Middle, Maiden, and any aliases	Social Security Number	Date of Birth	Title
Name Kitten, Brian D.			Sec/Treasurer
Spouse Name Kitten, Anne M. (Nelson)	The manufacture of the property of the control of t	CONTROL TO THE PROPERTY OF STREET	N/A [
Partner Number of Shares / % 33.333	Spouse Number of	Shares / % 0	Millione **:
Name of Officers, Directors, Members and Spouses. Give Last Name, First Name, Middle, Maiden, and any aliases	Social Security Number	Date of Birth	Title
Name	,		A had processed good good good good good good good go
Spouse Name	A CHARLESTON OF THE THE SECTION OF THE	komonomore en	:
Partner Number of Shares / %	Spouse Number of	f Shares / %	
Name of Officers, Directors, Members and Spouses. Give Last Name, First Name, Middle, Maiden, and any aliases	Social Security Number	Date of Birth	Title
Name	m , ms m s areas ar	,,	
Spouse Name	10 10 10 10 10 10 10 10 10 10 10 10 10 1		
Partner Number of Shares / %	Spouse Number o	f Shares / %	**************************************

(If Necessary, Continue on Separate Sheet)

Is this Corporation/LLC controlled by another	Corporation?
Yes C No 6	
Name of control Corporation	_
	:
	- :

If YES, LIST EACH STOCKHOLDER/MEMBER OWNING MORE THAT 25% stock/interest in that corporation/LCC. Any applicant who has a Corporation as a shareholder MUST file an organizational chart listing all shareholders and/or corporations owning more than 25% stock and listing of the percentage of stock owned.

Please indicate below your corporate tax year with the IRS

Starting date: January 1 Ending date: December 31

State of NEBRASKA)

LANCASTER County)

Notary Bublic Signature & Seal

President/Member

James E. Mumgaard

SENERAL NOTARY-State of Nebraska

EARL JEFFREY ALLEN

By Comm. Eq. (4-44-04)

In Compliance with ADA, this form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format.

Secretary/Member

Brian D. Kitten

GENERAL NOTARY-State of Nebraska
JENNIFER L. SOMMARS
My Comm. Exp. June 14, 2003

Notary Public Signature

& Seal

Verify Form and Print

FORM 35-4183 REV. 02/01 James E. Mumgaard

402-616-9011

PERSONAL OATH AND CONSENT OF INVESTIGATION - MUST BE SIGNED BY APPLICANT & SPOUSE

STATE OF NEBRASKA)

SS

COUNTY OF

LANCASTER'

MAR 28 2003

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application, that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec. §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has NO interest directly or indirectly, an affidavit may be attached, however, fingerprint cards are still required to be filed.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and inaccurate.

Brian D. Kitten

Subscribed in my presence and swom to before me this 2/ day of March 2003.

Signature of Spouse (if applicable)

Notary Signature & Seal

Anne M. Kitten

Subscribed in my presence and sworn to before me this

de day of March

21/0

Notary Signature & Seal

GENERAL NOTARY-State of Nebraska
JENNIFER L. SOMMARS
My Comm. Exp. June 14, 2003

Verify and Print

GENERAL NOTARY-State of Mebroska
JENNIFER L. SOMMARS
My Comm. Exp. June 14, 2003

FORM 35-4013 REV. 2/01